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REMARKS

Re-examination and reconsideration of the subject matter identified in caption, pursuant to and consistent with 37 C.F.R. §1.111, and in light of the remarks which follow, are respectfully requested.

Claims 1, 3, 4, 6, 7 and 11-19 remain pending in the application, with claims 11-19 being withdrawn from consideration as directed to a non-elected invention.

Claims 1, 3, 4, 6, 7 and 11 were rejected under 35 U.S.C. §103(a) as obvious over U.S. Patent No. 6,291,011 to Edlund or U.S. Patent No. 6,759,116 to Edlund in view of U.S. Patent No. 6,267,151 to Moll for the reasons given in paragraph (4) on pages 2-5 of the Office Action mailed August 23, 2006. Reconsideration and withdrawal of this rejection are respectfully requested for at least the reasons which follow.

Edlund '011 and '116 are directed to woven or nonwoven glass fiber fabrics suitable for use as wallcoverings. The woven glass fabrics disclosed in Edlund '011 are multi-coated to provide intermediate rolled good products intended to be applied to a wall and subsequently painted by the consumer or a professional painter to produce a finished wallcovering having a decorative image; note column 2, lines 10-26 and column 4, lines 22-40. As noted in the office Action, Edlund '011 discloses glass fiber fabrics which may have warp yarn titers of 34-68 tex with 680 ends/meter or a 139-142 tex with 315-340 ends/meter (column 3, lines 1-4).

Edlund '116 discloses glass fiber fabrics suitable for use as wallcoverings, which fabrics may be woven and may have a warp yarn titer of 34-68 tex with 680 ends/meter or a warp yarn titer of 139-142 tex with approximately 315-340 ends/meter. The glass fabrics are subsequently treated to provide a wallcovering having a volumetric, three-dimensional design image.

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Present claim 1 is directed to a woven patterned glass fiber textile fabric comprises of a glass fiber warp yarn having a titer of about 30 to 75-tex and a glass fiber weft yarn having a titer of 190 to 350 tex. The fabric has a warp density of 2.5 to 5 threads/cm and a weft density of 2.0 to 12 threads/cm. The textile is woven on a Jacquard loom and is particularly suitable as a wallcovering.

It has been discovered that when a woven fabric is prepared with the parameters set forth in the present claims, the resultant textile is beautifully patterned and aesthetically pleasing to the sight and touch. Accordingly, by selecting a warp and weft titer and warp and weft density within the ranges set forth in the present claims, beautifully patterned woven textiles can be prepared on a Jacquard loom without being constrained within the limits described in U.S. Patent No. 6,267,151 (Moll). These results were surprising and could not have been expected from the teachings of the cited references.

It is readily apparent from a review of the disclosure of Edlund '011 and '116, that neither document discloses or suggests a woven glass fiber textile composed of a glass fiber warp yarn having a titer within the range of 30-75 tex, preferably 34 or 70 tex, and a density ranging from 2.5 to 5 threads/cm and a glass fiber weft yarn having a titer within the range of 190-350 tex, preferably 200 or 330 tex, and a density ranging from 2 to 12 threads/cm. The Office Action concluded that it would have been obvious to optimize the titer and density of the warp and weft yarns in the fabrics of Edlund '011 and '116 since these properties are result effective variables. Moll '151 is cited as further evidence of varying the titer to achieve "resultant end properties." Respectfully, Applicant disagrees and submits that the §103(a) rejection is based on a hindsight reconstruction of the cited documents.

Initially, Applicant notes that Edlund '011 and '116 are directed to a method for the treatment of glass fabrics to impart decorative effects to the fabrics. These documents are not

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concerned with the selection of a suitable titer and density for yarns in order to prepare a woven patterned glass textile. No disclosure is seen in these references which would have motivated those of ordinary skill in the art of weaving glass fibers to vary yarn titer and density in order to improve the manufacture of patterned glass fiber textiles.

On the other hand, Moll '151 is concerned solely with the production of patterned woven glass fiber textiles. The Office Action has not adequately explained why one of ordinary skill in the art would have been motivated to optimize the titer and density of the warp and weft yarns disclosed in Edlund '011 and '116 to obtain an improved patterned woven glass fiber fabric when the objective of these references is to process a woven fabric in order to impart patterns and designs thereto.

Moreover, Moll '151 actually teaches away from operating outside the parameters disclosed therein (130-150 tex). Note the following expressed admonition at column 1, lines 42-50, of this document:

"Processing of glass fibers on Jacquard machines has never been successful previously. This is the reason why patterned glass fabrics previously were unavailable. However, very extensive experiments, on which the present invention is based, show that patterned glass fabrics can be produced after all by adhering to the above-addressed limiting values, especially the very narrow fluctuations in titer, that is, in the weight of 1.000 meters of the glass fiber yarn used." (Underlining added)

This reference clearly teaches that one must use a glass fiber warp yarn having a titer within the range of 130 to 150 tex, preferably 139-142 tex in order to achieve the objectives of the invention, i.e., a woven patterned glass fiber textile.

Even if one of ordinary skill modified the disclosures of Edlund '011 and '116 in accordance with the teachings of Moll '151, the resultant fabric still would not be within the scope of the present claims. Also, while one may argue that the titer and density of a yarn may be a result effective variable in terms of yarn strength, one skilled in the art could not

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reasonably predict the effect that varying the titer would have on weaving a yarn into a commercially acceptable patterned glass fiber textile. The §103(a) rejection does not establish that the present claims are *prima facie* obvious over Edlund '011 or '116, taken alone or in view of Moll '151.

For at least these reasons, the §103(a) rejection over Edlund '011 or Edlund '116 in view of Moll '151 should be withdrawn. Such action is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned at (303) 978-3927 at his earliest convenience.

Respectfully submitted,

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Date:

Nov 20, 2006

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